

## IN THE CLAIMS

Please cancel claims 2-4 without prejudice or disclaimer,  
add new claims 8-10, and amend the remaining claims as follows:

### Listing of Claims

1. (Currently Amended) A non-aqueous electrolyte  
secondary battery comprising:  
  
a positive electrode;  
  
a negative electrode containing a negative electrode mix  
containing a material capable of absorbing and releasing lithium;  
and  
  
a non-aqueous electrolyte,  
  
wherein the positive electrode contains a lithium manganese  
composite oxide, which contains lithium when synthesizing the  
oxide, as an active material and the negative electrode contains  
at least one compound selected from the group consisting of  
sodium compounds, potassium compounds, ~~calcium compounds~~ and  
strontium compounds, and the content of said compounds in the  
negative electrode mix is such that the total content of the  
elements of sodium, potassium and strontium is not less than  
0.01% by weight and not more than 10% by weight based on the  
negative electrode mix.

2. CANCELLED.

3. CANCELLED.

4. CANCELLED.

5. (Currently Amended) A non-aqueous electrolyte secondary battery according to claim 1 ~~to any one of claims 1-4~~, wherein the lithium manganese composite oxide is of cubic system and has a specific surface area of not more than  $2.0 \text{ m}^2/\text{g}$ , an average particle diameter of not less than  $3 \text{ }\mu\text{m}$  and not more than  $30 \text{ }\mu\text{m}$  and a lattice constant  $a$  of not more than  $8.25 \text{ \AA}$ .

6. (Currently Amended) A non-aqueous electrolyte secondary battery according to claim 1 ~~any one of claims 1-4~~, wherein the lithium manganese composite oxide is of rhombic system and has a specific surface area of not more than  $5.0 \text{ m}^2/\text{g}$ , an average particle diameter of not less than  $3 \text{ }\mu\text{m}$  and not more than  $30 \text{ }\mu\text{m}$ , and a lattice constant  $a$  of not less than  $2.75 \text{ \AA}$ ,  $b$  of not less than  $5.70 \text{ \AA}$  and  $c$  of not less than  $4.55 \text{ \AA}$ .

7. (Previously Presented) A method for making a non-aqueous electrolyte secondary battery comprising:  
a positive electrode;

a negative electrode containing a negative electrode mix containing a material capable of absorbing and releasing lithium; and

a non-aqueous electrolyte,

wherein the negative electrode is produced using a slurry prepared by adding to the negative electrode mix at least one compound selected from the group consisting of sodium compounds, potassium compounds, calcium compounds and strontium compounds and mixing them.

8. (New) A non-aqueous electrolyte secondary battery according to claim 1, wherein the sodium compounds are at least one compound selected from the group consisting of NaOH, Na<sub>2</sub>O, Na<sub>2</sub>O<sub>2</sub>, NaO<sub>2</sub>, Na<sub>2</sub>CO<sub>3</sub>, NaHCO<sub>3</sub>, Na<sub>2</sub>SiO<sub>3</sub>, NaNH<sub>2</sub>, NaN<sub>3</sub>, and NaHC<sub>2</sub>; the potassium compounds are at least one selected from the group consisting of KOH, K<sub>2</sub>O, K<sub>2</sub>O<sub>2</sub>, KO<sub>2</sub>, KN<sub>3</sub>, KNH<sub>2</sub>, K<sub>2</sub>C<sub>2</sub> and KHC<sub>2</sub>; and the strontium compounds are at least one selected from the group consisting of Sr(OH)<sub>2</sub>, SrO, SrO<sub>2</sub> and SrCO<sub>3</sub>.

9. (New) A non-aqueous electrolyte secondary battery according to claim 1, wherein the sodium compounds are at least one compound selected from the group consisting of NaOH, NaO<sub>2</sub>, Na<sub>2</sub>CO<sub>3</sub>, NaHCO<sub>3</sub>, Na<sub>2</sub>SiO<sub>3</sub>, NaNH<sub>2</sub>, NaN<sub>3</sub>, Na<sub>2</sub>C<sub>2</sub>, and NaHC<sub>2</sub>; the potassium

compounds are at least one selected from the group consisting of KOH,  $\text{KN}_3$ ,  $\text{KNH}_2$ ,  $\text{K}_2\text{C}_2$  and  $\text{KHC}_2$ ; and the strontium compounds are at least one selected from the group consisting of  $\text{Sr}(\text{OH})_2$  and  $\text{SrCO}_3$ .

10. (New) A non-aqueous electrolyte secondary battery according to claim 1, wherein the sodium compounds are at least one compound selected from the group consisting of NaOH,  $\text{Na}_2\text{CO}_3$ ,  $\text{NaHCO}_3$ ,  $\text{Na}_2\text{SiO}_3$ ,  $\text{NaNH}_2$ ,  $\text{NaN}_3$ , and  $\text{NaHC}_2$ ; the potassium compounds are at least one selected from the group consisting of KOH,  $\text{KN}_3$ ,  $\text{KNH}_2$ ,  $\text{K}_2\text{C}_2$  and  $\text{KHC}_2$ ; and the strontium compounds are at least one selected from the group consisting of  $\text{Sr}(\text{OH})_2$  and  $\text{SrCO}_3$ .